

Michigan Law Review

Volume 78 | Issue 6

1980

Front Matter

Michigan Law Review

Follow this and additional works at: <https://repository.law.umich.edu/mlr>

Recommended Citation

Michigan Law Review, *Front Matter*, 78 MICH. L. REV. i (1980).

Available at: <https://repository.law.umich.edu/mlr/vol78/iss6/1>

This Front Matter is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

Michigan Law Review

VOLUME 78
1979-80

The University of Michigan
Law School

1980

Michigan Law Review
Ann Arbor, Michigan 48109

Michigan Law Review

Vol. 78, No. 6

May 1980

CONTENTS

ARTICLES

- THE FIFTH AMENDMENT AND THE INFERENCE OF GUILT FROM
SILENCE: *GRIFFIN V. CALIFORNIA* AFTER
FIFTEEN YEARS *Donald B. Ayer* 841
- PERSONAL JURISDICTION AND CHOICE OF LAW *James Martin* 872

NOTES

- CONTRIBUTION AND ANTITRUST POLICY 890
- THE ATTORNEY-CLIENT PRIVILEGE AFTER ATTORNEY
DISCLOSURE 927
- COLLATERAL ESTOPPEL AND SUPREME COURT DISPOSITION OF
MOOT CASES 946

COMMENTS

- CONTINUING THE *ERIE* DEBATE: A RESPONSE TO WESTEN AND
LEHMAN *Martin H. Redish* 959
- AFTER "LIFE FOR *ERIE*"—A REPLY *Peter Westen* 971

RECENT BOOKS

BOOKS RECEIVED	990
----------------------	-----

PERIODICAL INDEX

SUBJECT INDEX of Articles, Comments, Notes, and Recent Developments Appearing in Leading Law Reviews.....	992
--------------------------------------------------------------------------------------------------------------	-----

The design on the cover is taken from an etching of The University of Michigan Legal Research Building.

Published monthly November, December, January, February, March, May, June, and August at Lincoln, Nebraska. Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521. Second-class postage paid at Ann Arbor, Michigan, and additional mailing offices. (ISSN 0026-2234).

Subscriptions: United States, \$20 per year in advance, eight numbers; Foreign, \$22.

Current Volume: Single Issues, \$3.50, postpaid, at Editorial and Business Offices.

Back issues and volumes (before Nov. 1979) available from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Because back stock of the *Review* is turned over to a dealer, back numbers are available to the *Review* for a short time only. It is therefore necessary to ask that subscribers report the nonreceipt of copies within six months of the mailing date.

Editorial and Business Offices:

Michigan Law Review
Hutchins Hall
Ann Arbor, Michigan 48109

We gladly consider unsolicited manuscripts for publication. We regret that we can return only those manuscripts for which we receive postage and handling fees of \$3 for first-class and \$1 for special fourth-class mail.

Michigan Law Review

Vol. 78, No. 6

May 1980

EDITORIAL BOARD

Editor-in-Chief

KENT D. SYVERUD, *of New York*

Managing Editor

ROBERT W. FULTON, *of Minnesota*

Note Editors

DAVID LEE DE BRUIN, *of Wisconsin*
JEFFREY A. HOLLINGSWORTH, *of Michigan*
GWEN THAYER JOHNSON, *of Michigan*
RANDALL ROBERT KAPLAN, *of North Carolina*
DOUGLAS BARRACK LEVENE, *of Massachusetts*
ALAN A. PEMBERTON, *of Delaware*

Administrative and Article Editors

JOEL I. BENNETT, *of Florida*
SCOTT W. HOWE, *of Missouri*
RONALD A. SARACHAN, *of Rhode Island*

Special Issues Editor

DAVID REX HAZELTON, *of Michigan*

Research and Development Editors

MARY FRANCES HARKENRIDER, *of Illinois*
KENNETH C. MENNEMEIER, *of Illinois*

Senior Editors

BENJAMIN CALKINS, *of Michigan*
SUE BASZLER GEIERSBACH, *of Michigan*
DEBORAH E. GREENSPAN, *of Michigan*
HOWARD N. HENICK, *of New York*
BARBARA SHOOLTZ KENDZIERSKI, *of Michigan*

KERRY WILLIAM KIRCHER, *of Iowa*
THOMAS L. PETERS, *of Pennsylvania*
WILLIAM F. SEABAUGH, *of Missouri*
GLENN A. SHANNON, *of New York*
MARK A. THOMPSON, *of Iowa*
CYNTHIA FICKE WISNER, *of Ohio*

Associate Editors

THOMAS E. MAIER, *of Michigan*
NANCY STONE MARTIN, *of Michigan*

DAVID C. BAHL, *of Iowa*
GEOFFREY BESTOR, *of Massachusetts*
JAMES ELLIS BRANDT, *of New York*
THOMAS W. BRIGGS, *of Oklahoma*
DAVID W. BURHENN, *of Michigan*
JOHN A. CVARCH, *of New York*
ANDREA A. DARVAS, *of Michigan*
RALPH C. DERBYSHIRE, *of Massachusetts*
NANCY E. FREDMAN, *of Michigan*
NINA D. GILLMAN, *of New York*
ALAN E. GITLES, *of Illinois*
ARTHUR I. HARRIS, *of Ohio*
DOUGLAS E. HART, *of Indiana*
STEFAN B. HERPEL, *of Michigan*
CATHERINE L. JAMES, *of Iowa*
JONATHAN A. KROMAN, *of Michigan*
PETER M. LIEB, *of New York*
STEVE MAC ISAAC, *of Michigan*

PETER C. MANBECK, *of Connecticut*
MICHAEL P. MCGEE, *of Michigan*
JEFFREY P. MINEAR, *of Utah*
KIT G. PIERSON, *of Oregon*
RICHARD E. SARVER, *of Washington*
SUE A. SIKKEMA, *of Michigan*
BERNARD A. SMITH, *of Ohio*
THOMAS G. STACY, *of Michigan*
STUART ALAN STREICHLER, *of Ohio*
MARK P. TANOURY, *of Ohio*
GREGORY F.W. TODD, *of New York*
REBECCA K. TROTH, *of Minnesota*
MARK VAN PUTTEN, *of Michigan*
ROBB L. VOYLES, *of Ohio*
RICHARD I. WERDER, JR., *of New York*
CHRIS WONNELL, *of Indiana*
PETER N. ZEITLER, *of Michigan*

BUSINESS MANAGER

Eleonora V. Eckert

SECRETARY

Irma Kay Marsh

UNIVERSITY OF MICHIGAN LAW SCHOOL

Administrative Officers

HAROLD T. SHAPIRO, B.A., M.A., PH.D., *President of the University*
ALFRED S. SUSSMAN, A.M., PH.D., *Acting Vice President for Academic Affairs*
TERRANCE SANDALOW, A.B., J.D., *Dean*
JAMES J. WHITE, B.A., J.D., *Associate Dean*
SUSAN M. EKLUND, A.B., J.D., *Assistant Dean*
ALLAN T. STILLWAGON, A.B., M.A., *Assistant Dean and Admissions Officer*

Professors Emeriti of Law

WILLIAM W. BISHOP, JR., A.B., J.D.
WILLIAM W. BLUME, A.B., LL.B., S.J.D.
MARVIN L. NIEHUSS, A.B., LL.B.
S. CHESTERFIELD OPPENHEIM, A.B., A.M., J.D., S.J.D.
GEORGE E. PALMER, A.B., J.D., LL.M.
RUSSELL A. SMITH, A.B., J.D.

Professors of Law

FRANCIS A. ALLEN, A.B., LL.B., J.D.,
Edson R. Sunderland Professor of Law
LAYMAN E. ALLEN, A.B., M.P.A., L.B.
VINCE A. BLASI, B.A., J.D.
LEE C. BOLLINGER, ** B.S., J.D.
OLIN L. BROWDER, JR., A.B., LL.B., S.J.D., *James V. Campbell Professor of Law*
DAVID L. CHAMBERS, A.B., LL.B.
ALFRED F. CONARD, A.B., LL.B., LL.M., J.S.D.,
LL.D., *Henry M. Butzel Professor of Law*
EDWARD H. COOPER, A.B., LL.B.
LUKE K. COOPERRIDER, B.S., J.D.
ROGER A. CUNNINGHAM, ** S.B., J.D.
SAMUEL D. ESTEP, ** A.B., J.D.
WHITMORE GRAY, A.B., J.D.
THOMAS A. GREEN, B.A., PH.D., J.D.
ROBERT J. HARRIS, † B.A., LL.B.
JEROLD H. ISRAEL, ** B.B.A., LL.B.
JOHN H. JACKSON, B.A., J.D.
DOUGLAS A. KAHN, B.A., J.D.
YALE KAMISAR, A.B., LL.B., LL.D.,
Henry King Ransom Professor of Law
THOMAS E. KAUPER, A.B., J.D.
FRANK R. KENNEDY, A.B., LL.B., J.S.D., *Thomas M. Cooley Professor of Law*
RICHARD H. LAUWAARS, * LL.M., S.J.D.
RICHARD O. LEMPERT, A.B., J.D., Ph.D.
JAMES A. MARTIN, ** B.S., M.S., J.D.
JACK RICHARD PEARCE, A.B., LL.B.
WILLIAM J. PIERCE, A.B., J.D.
MARCUS L. PLANT, ** B.A., M.A., J.D.
ZYGMUNT J.B. PLATER, * A.B., J.D., LL.M.
BEVERLEY J. POOLEY, B.A., LL.B., LL.M., S.J.D.
ROY F. PROFFITT, B.S.BUS. AD., J.D., LL.M.
JOHN W. REED, A.B., LL.B., LL.M., JUR.SC.D.
DONALD H. REGAN, A.B., LL.B., B.PHIL.
GERALD M. ROSBERG, B.A., J.D.
THEODORE J. ST. ANTOINE, A.B., J.D.
TERRANCE SANDALOW, A.B., J.D.
JOSEPH L. SAX, A.B., J.D.
ALLAN F. SMITH, A.B.ED., LL.B., LL.M., S.J.D.
PHILIP SOPER, ** B.A., M.A., J.D., Ph.D.
ERIC STEIN, ** J.U.D., J.D., DR. H.C., DR.H.C.,
Hessel E. Yntema Professor of Law
PETER O. STEINER, ** A.B., M.A., Ph.D.
JOSEPH VINING, B.A., M.A., J.D.
LAWRENCE W. WAGGONER, ** B.B.A., J.D., D. PHIL.
ANDREW S. WATSON, B.S., M.D., M.S. IN MED.
PETER K. WESTEN, B.A., J.D.
JAMES J. WHITE, B.A., J.D.
L. HART WRIGHT, A.B., J.D., LL.M.,
Paul G. Kauper Professor of Law

Associate Professors of Law

WILLIAM J. ADAMS, A.B., A.M., Ph.D.
SALLYANNE PAYTON, ** A.B., LL.B.
STEVEN D. PEPE, B.A., J.D., LL.M.
DANIEL L. RUBINFELD, B.A., M.S., Ph.D.
CHRISTINA L. WHITMAN, ** A.B., M.A., J.D.

Assistant Professors of Law

WILLIAM BURNHAM, † B.S., A.B., J.D.
DONALD N. DUQUETTE, † B.A., J.D.
MARC L. GOLDMAN, † B.A., J.D.
MICHAEL ROSENZWEIG, A.B., J.D.
JAMES G. WILSON, † A.B., J.D.

Lecturers in Law

VINCENT L. BARKER, † B.S., J.D.
ANGUS CAMPBELL, M.A., Ph.D.
PAUL R. DIMOND, † B.A., J.D.
BETTYE S. ELKINS, † B.J., J.D.
KIM ROBERT FAWCETT, † B.A., J.D.
E. JAMES GAMBLE, † A.B., J.D.
CHARLES W. JOINER, † B.A., J.D.
MICHAEL C. MORAN, † B.A., J.D.
CYRIL MOSCOW, † A.B., J.D.
L. GUY PALMER, † B.A., J.D.
RICHARD D. ROHR, † A.B., J.D.
EDWARD R. STEIN, † B.A., J.D.
ROBERT M. VERCRUYSE, † B.A., J.D.
DENIS E. WALSH, A.B., M.D.

* Visiting

** On Leave

† Adjunct